

SB198 INTRODUCED



1 SB198

2 CXGHYQQ-1

3 By Senator Givhan

4 RFD: Veterans, Military Affairs and Public Safety

5 First Read: 25-Feb-25



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SYNOPSIS:

This bill would establish and provide procedures for the Alabama National Guard Legal Services Office, including various positions within the office and accompanying duties thereof.

This bill would establish and provide procedures for the Alabama National Guard Legal Assistance Program, including various positions within the office and accompanying duties thereof.

This bill would also authorize judge advocates and paralegals to perform notary acts under certain circumstances.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama National Guard; to add Chapters 2B and 2C to Title 31 of the Code of Alabama 1975, to establish and provide for the Alabama National Guard Legal Services Office, including positions therein; to establish and provide for the Alabama National Guard Legal Assistance Program, including positions therein; and to authorize judge advocates and paralegals to perform notary actions under



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29 certain circumstances.

30 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

31 Section 1. Chapter 2B is added to Title 31 of the Code
32 of Alabama 1975, to read as follows:

33 §31-2B-1.

34 This chapter establishes and defines the operational
35 procedures of the Alabama National Guard Legal Services
36 Office, including the office's composition, mission, and
37 functions; provides duties and explains policies, objectives,
38 and procedures for the development and maintenance of the
39 office; provides duties for the supervision, training,
40 employment, and administration of personnel; and provides
41 procedures for acquiring and maintaining office legal research
42 resources.

43 §31-2B-2.

44 This chapter applies to all judge advocates and
45 services and personnel thereof at all times, including during
46 federal service.

47 §31-2B-3.

48 (a) The Alabama National Guard and State Military
49 Department shall adopt Army Regulation 27-1 and Air Force
50 Instruction 51-304 as controlling when judge advocates are in
51 federal service and when not in federal service in an advisory
52 capacity.

53 (b) This chapter is supplemental and shall not be
54 construed to abrogate any duties, responsibilities, or
55 liabilities of judge advocates or legal services personnel.

56 §31-2B-4.



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57 (a) The Legal Services Office shall be a joint office
58 shared by the Alabama Army and Air National Guard. There shall
59 be a state staff judge advocate for the Army National Guard
60 and for the Air National Guard.

61 (b) Each state staff judge advocate shall do all of the
62 following:

63 (1) Perform the duties as prescribed by the Adjutant
64 General and state and federal law.

65 (2) Serve as the primary legal adviser to the Adjutant
66 General regarding the State Military Department and all
67 officers and agencies of the department.

68 (3) Provide independent legal advice in coordination
69 with the Office of General Counsel and directly to the
70 Director of the Joint Staff, chief of staff of each service,
71 joint staff, and members of the Alabama National Guard,
72 generally.

73 (4) Provide legal advice in the following areas:

74 a. Military justice.

75 b. Administration and operation of State Military
76 Department.

77 c. Business, property, and financial operations under
78 the jurisdiction and authority of the State Military
79 Department and Armory Commission.

80 d. Administration, control, discipline, status, civil
81 relations, and activities of all State Military Department
82 personnel.

83 (5) Provide legal advice to the Adjutant General,
84 Director of the Joint Staff, chief of staff of each service,



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85 and joint staff in all legal matters concerning the State
86 Military Department, including environmental law, labor and
87 civilian personnel law, contract law, and fiscal and tax law.

88 (6) Develop legal office management policies and
89 procedures to accomplish all legal services within the Alabama
90 National Guard.

91 (7) Direct the members of the Alabama National Guard
92 Judge Advocate General Corps in the performance of their
93 duties, including leading and managing all aspects of the
94 Legal Service Office.

95 (8) Exercise technical supervision over the delivery of
96 legal services in the Alabama Army and Air National Guard and
97 all legal services personnel under the authority of the
98 Adjutant General.

99 (9) Certify that all judge advocates are professionally
100 qualified and maintain the highest levels of ethical and moral
101 behavior and professional proficiency to perform legal duties.

102 (10) Manage the professional legal training within the
103 Alabama National Guard.

104 (11) Determine the requirements for the Alabama
105 National Guard's acquisition of legal research materials,
106 software, applications, and programs.

107 (12) Provide legal services to the Alabama National
108 Guard through the Legal Services Office and the Office of
109 General Counsel.

110 (13) Direct the delivery of Alabama Army and Air
111 National Guard legal services across a broad spectrum of legal
112 disciplines, including military justice, international and



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113 operational law, administrative and civil law, contract and
114 fiscal law, claims, and legal assistance.

115 §31-2B-5.

116 (a) Under the direction of the Adjutant General and the
117 state staff judge advocates, the General Counsel shall do all
118 of the following:

119 (1) Advise and support the state staff judge advocates
120 on all judge advocate legal service matters.

121 (2) Advise the Adjutant General, State Military
122 Department, Governor, chiefs of staff of each service, and
123 Director of the Joint Staff, as necessary.

124 (3) Serve as Chief Information Officer for the Judge
125 Advocate General Counsel.

126 (4) Inspect, supervise, and manage judge advocate
127 activities as directed by the state staff judge advocates.

128 (5) Supervise all Alabama National Guard litigation and
129 appeals.

130 (6) Supervise and provide advice on all contract and
131 fiscal issues.

132 (7) Supervise and provide technical guidance regarding
133 military justice and administrative law.

134 (8) Supervise the Office of General Counsel, including
135 employment, professional responsibility, and office management
136 matters.

137 (9) Establish policy and operational guidance for all
138 aspects of the Legal Services Office.

139 (10) Supervise the Deputy General Counsel, associate
140 general counsels, deputy staff judge advocates, judge



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141 advocates, all legal services personnel, and others who are
142 members of the Judge Advocate Legal Services Office to assist
143 the Office of General Counsel in supporting the state staff
144 judge advocates.

145 (b) The Office of General Counsel full-time staff shall
146 include a general counsel, deputy general counsel, chief
147 paralegal, and associate general counsels.

148 §31-2B-6.

149 The Deputy General Counsel shall do all of the
150 following:

151 (1) Serve as director for the Legal Services Office,
152 including military justice, legal assistance, administrative
153 law, contract and fiscal law, and any other services as
154 determined and delegated by a state staff judge advocate or
155 the Office of General Counsel.

156 (2) Coordinate and provide support for all legal
157 services throughout the Alabama National Guard and the State
158 Military Department under the direction of the state staff
159 judge advocates and the Office of General Counsel.

160 (3) Coordinate and support the Alabama National Guard
161 Army Soldier Readiness Program.

162 (4) Coordinate and provide support for all legal
163 services training in the Alabama National Guard.

164 (5) Coordinate and supervise all Alabama National Guard
165 preventative law publications.

166 (6) Provide advice and counsel to Alabama National
167 Guard SAPR/IPP Offices.

168 (7) Compile and publish the Alabama National Guard



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169 Legal Services Manual upon approval by the state staff judge
170 advocates.

171 §31-2B-7.

172 The military justice associate general counsel shall do
173 all of the following:

174 (1) Serve as coordinator of all military justice
175 matters under the direction of the state staff judge advocates
176 and as delegated to the Office of General Counsel.

177 (2) Coordinate and provide support to the Chief of
178 Military Justice and all trial counsels and supporting staff.

179 (3) Provide and supervise all military justice training
180 throughout the Alabama National Guard.

181 (4) Compile and publish the Alabama Manual for
182 Court-Martial and any supporting state regulations and manuals
183 with advice and consent of the state staff judge advocates and
184 the Chief of Military Justice.

185 §31-2B-8.

186 The contract and fiscal law associate general counsel
187 shall do all of the following:

188 (1) Serve as coordinator of all contract and fiscal law
189 matters under the direction of the state staff judge advocates
190 and as delegated to the Office of General Counsel.

191 (2) Coordinate and provide support to the military
192 judge advocates assigned to contract and fiscal law sections.

193 (3) Provide and supervise all contract and fiscal law
194 training throughout the Alabama National Guard.

195 (4) Compile and publish the Alabama Manual for Contract
196 and Fiscal Law and any supporting rules and manuals with



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197 advice and consent of the state staff judge advocates.

198 §31-2B-9.

199 The administrative and Civil Law Associate General
200 Counsel shall do all of the following:

201 (1) Serve as coordinator of all administrative and
202 civil law matters under the direction of the state staff judge
203 advocates and as delegated to the Office of General Counsel.

204 (2) Coordinate and provide support to the military
205 judge advocates assigned to administrative and civil law
206 sections.

207 (3) Provide and supervise all administrative and civil
208 law training throughout the Alabama National Guard.

209 (4) Compile and publish the Alabama Manual for
210 Administrative and Civil Law and any supporting rules and
211 manuals with advice and consent of the state staff judge
212 advocates.

213 §31-2B-10.

214 The Operational Law Associate General Counsel shall do
215 all of the following:

216 (1) Serve as coordinator of all operational law matters
217 under the direction of the state staff judge advocate and as
218 delegated to the Office of General Counsel.

219 (2) Coordinate and provide support to military judge
220 advocates assigned to administrative and civil law sections.

221 (3) Provide and supervise all military justice training
222 throughout the Alabama National Guard.

223 (4) Compile and publish the Alabama Manual for
224 Operational Law and any supporting rules and manuals with



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225 advice and consent of the state staff judge advocates.

226 §31-2B-11.

227 The Legal Assistance Associate General Counsel shall do
228 all of the following:

229 (1) Serve as coordinator of all legal assistance
230 matters under the direction of the state staff judge advocates
231 and as delegated to the Office of General Counsel.

232 (2) Coordinate and provide support to military judge
233 advocates assigned to legal services sections.

234 (3) Provide and supervise all legal assistance training
235 throughout the Alabama National Guard.

236 (4) Compile and publish the Alabama Manual for Legal
237 Assistance and any supporting rules and manuals with the
238 advice and consent of the state staff judge advocates.

239 §31-2B-12.

240 (a) Command, Wing, and Brigade Judge Advocates shall
241 provide legal services to Major Military Commands, including
242 MACOM, MAJCOM, and Wing in this state through legal offices
243 and legal sections headed by judge advocates within each
244 MACOM, MAJCOM, and Wing. Judge advocates shall be members of
245 MACOM, MAJCOM, and Wing Commanders' Staff and are designated
246 as supervisory judge advocates.

247 (b) A Supervisory Judge Advocate shall be a judge
248 advocate within an office or organization with authority over,
249 or responsibility for, the direction, coordination,
250 evaluation, or assignment of responsibilities and work of
251 subordinate lawyers, paralegals, and other non-lawyer
252 assistants within MACOM, MAJCOM, or Wing.



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253 (c) The supervisory judge advocates shall include the
254 Command Judge Advocate, Staff Judge Advocate, and the Brigade
255 Judge Advocate as determined by the placement.

256 (d) The Command Judge Advocate, Staff Judge Advocate,
257 and Brigade Judge Advocate shall do all of the following:

258 (1) Advise the commander regarding legal matters and
259 assist the commander in exercising his or her duties as a part
260 of the commander's personal staff, all under the management
261 and supervision of the respective state staff judge advocate.

262 (2) Assist the commander in identifying legal problems
263 and render legal advice in support of the commander's
264 decision-making process.

265 (3) Furnish legal advice, assistance, and support
266 across the broad spectrum of military, state, and federal
267 practice, including administrative law, claims, contract, and
268 fiscal law, international and operational law, and military
269 justice; provided, all legal assistance is reserved to the
270 Legal Services Office unless otherwise determined by a state
271 staff judge advocate.

272 (4) Be responsible for the efficient, effective, and
273 ethical delivery of legal services to his or her commanders
274 and commands.

275 (5) Create and maintain rating and supervisory chains
276 that comply with applicable Army standards and ensure
277 effective leadership of all legal personnel of the command
278 legal office.

279 (6) Ensure legal personnel are adequately trained to
280 accomplish the legal mission, including through local training



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281 and through attendance at the Judge Advocate Center and School
282 courses, including that all judge advocate attorneys
283 accomplish continuing legal education required by the Alabama
284 State Bar.

285 (7) Appoint and assign duties of the chief paralegal,
286 trial counsel, and deputy command judge advocate, deputy staff
287 judge advocate, or deputy brigade judge advocate, as
288 appropriate, with consent of the state staff judge advocate.

289 (8) Maintain written standard office procedures and
290 annex to Operation Order for Command.

291 (9) Maintain proper written reports regarding
292 investigations, separations, and military justice as directed
293 by the Office of General Counsel and state staff judge
294 advocate.

295 (10) Publish an office SOP and OPORD Annex for their
296 respective commands.

297 §31-2B-13.

298 (a) In accordance with Army Regulation 27-1, all
299 paralegals and warrant officers are under the direction of a
300 state staff judge advocate with supervision delegated to each
301 Command Judge Advocate, Staff Judge Advocate, or Brigade Judge
302 Advocate, as appropriate.

303 (b) Unless directed otherwise by the state staff judge
304 advocate, all paralegals and warrant officers shall perform
305 only legal professional duties as outlined in their respective
306 legal service regulations.

307 §31-2B-14.

308 (a) The Alabama National Guard, commanders, and



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309 supervisory judge advocates shall provide logistical support
310 for the Legal Services Office, including adequate personnel,
311 facilities, supplies, and equipment necessary to carry out its
312 mission and functions in the most professional, efficient, and
313 effective manner possible.

314 (b) Minimum logistical support shall include all of the
315 following:

316 (1) Sufficiently private workspace for attorneys and
317 support staff that ensures freedom from unnecessary
318 distractions and provides for client confidentiality and
319 privacy, including a private consultation room.

320 (2) Locking file cabinets to ensure the privacy of
321 records.

322 (3) Computer hardware and software to maintain client
323 records; provided, only authorized personnel may have access.

324 (4) A sufficient number of attorneys and qualified
325 administrative, paralegal, and clerical support personnel to
326 accomplish workload.

327 (5) Computers for each assigned judge advocate,
328 paralegal, and legal assistant; software, peripherals,
329 networking, telecommunication equipment, including nonsecure
330 Internet protocol router network access and, where required,
331 secure Internet protocol router network access. Maintenance
332 and supplies for computer hardware and software, including
333 training for personnel.

334 (6) Appropriate and private client waiting areas in
335 legal services and assistance offices.

336 (7) Standard legal office equipment as determined by



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337 technological advancements and by the state staff judge
338 advocate or the Office of General Counsel.

339 (8) Access to digital libraries, including general
340 research material and legal services for specialized topics,
341 including adequate funding and resources for essential access
342 to computer automated legal research capabilities.

343 (9) Adequate funding for continuing legal education for
344 all assigned and attached attorneys sufficient to satisfy
345 requirements of each attorney's primary jurisdiction of bar
346 membership, including additional specialty or assignment
347 training for attorneys and support staff.

348 (10) Cellular telephones and similar devices as
349 determined by the state staff judge advocate or Office of
350 General Counsel to support legal mission requirements.

351 (11) Adequate transportation support.

352 (c) The management and delivery of legal services in
353 the Alabama National Guard requires the use and support of
354 court computer access to software applications, such as:
355 Jagcnet, Adobe, Word Perfect, Alacourt, Alafile, and federal
356 court litigation access.

357 Section 2. Chapter 2C is added to Title 31 of the Code
358 of Alabama 1975, to read as follows:

359 §31-2C-1.

360 This chapter provides policies, roles,
361 responsibilities, and procedures for the Alabama National
362 Guard Legal Assistance Program. This chapter shall not be
363 construed to create any substantive or procedural right
364 against this state or the United States, or any agencies or



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365 officers thereof, or any other person.

366 §31-2C-2.

367 (a) The Legal Assistance Program shall be modeled after
368 Army Regulation 27-3, Air Force Instruction 51-304, and Air
369 National Guard Instruction 51-504. When not in federal service
370 these federal regulations shall be advisory and not
371 controlling and any inconsistencies shall be resolved in favor
372 of state law and rules. This chapter shall be applicable to
373 all judge advocates at all times, even when in federal
374 service. For any conflict between this chapter and federal law
375 or rule during federal service, federal service regulations
376 shall control.

377 (b) Nothing in this chapter shall abrogate any duties,
378 responsibilities, or liabilities of judge advocates or
379 personnel under Alabama National Guard shall incorporate Army
380 Regulation 27-3, Air Force Instruction 51-304, and Air
381 National Guard Instruction 51-504.

382 §31-2C-3.

383 (a) The mission of the Legal Assistance Program is to
384 assist eligible clients with managing their personal legal
385 affairs in a timely and professional manner by doing all of
386 the following:

387 (1) Meeting clients' needs for information on personal
388 legal matters.

389 (2) Resolving clients' personal legal problems whenever
390 possible.

391 (b) The Legal Assistance Program shall be under the
392 direction of the Adjutant General. The mission of the Legal



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393 Assistance Program is based on military needs of readiness,
394 morale, discipline, and retention according to the following:

395 (1) Readiness. Because soldiers, airmen, and
396 emergency-essential Department of Defense civilian employees
397 must be prepared for immediate mobilization and deployment,
398 their personal legal affairs must be in order at all times.

399 (2) Morale. Fostering high morale of soldiers, airmen,
400 and their families is an important aspect of readiness. High
401 morale is enhanced by providing soldiers, airmen, and their
402 families information, advice, and assistance responsive to
403 their personal legal needs and problems.

404 (3) Discipline. Personal legal difficulties may cause
405 low morale and disciplinary problems and may adversely affect
406 combat readiness. Prompt legal assistance in resolving these
407 difficulties is an effective preventive law measure.

408 (4) Quality. Providing legal assistance is part of the
409 Alabama National Guard's ongoing effort to maintain a quality
410 of life that will attract quality people. The Alabama National
411 Guard must take care of its own if it is to recruit and retain
412 a quality force.

413 (5) Retention. In order to retain service members, it
414 is the mission of the Alabama National Guard legal assistance
415 program to assist service members with legal matters on a no
416 cost basis to promote retention.

417 §31-2C-4.

418 (a) The Alabama Staff Judge Advocate for the Alabama
419 Army and Air National Guard shall do all of the following:

420 (1) Maintain ultimate responsibility for the overall



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421 supervision and administration of the Legal Assistance
422 Program.

423 (2) Through the Director of Legal Services within the
424 Office of General Counsel:

425 a. Execute program director responsibilities for the
426 Legal Assistance Program;

427 b. Exercise technical oversight over judge advocates
428 and civilian attorneys serving in the Legal Assistance
429 Program;

430 c. Provide technical guidance over attorneys serving as
431 Alabama National Guard/NGB Special Victims' Counsel; and

432 d. Develop policies and procedures for the Legal
433 Assistance Program's Manual of Legal Assistance.

434 (b) The MACOM Judge Advocate Office shall provide legal
435 assistance if they have a separate legal assistance judge
436 advocate. Otherwise, the Legal Services Office, through the
437 Legal Assistance Program, shall advise and counsel all legal
438 services issues within MACOMs. MACOM judge advocates may
439 provide emergency legal assistance, if approved by the
440 Director of Legal Services.

441 §31-2C-5.

442 The Alabama National Guard legal assistance associate
443 general counsel shall be responsible for legal assistance
444 services in the Alabama National Guard and State Military
445 Department, and shall do all of the following:

446 (1) Provide legal assistance services pursuant to Army
447 Regulation 27-3, Air Force Instruction 51-304, and Air
448 National Guard Instruction 51-504, and as may be directed or



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449 limited by the state staff judge advocate.

450 (2) Formulate and publish an Alabama National Guard
451 Manual for Legal Assistance, to be updated annually.

452 (3) Ensure proper planning and coordination for Soldier
453 Readiness Program legal support.

454 (4) Secure adequate facilities, equipment, supplies,
455 and personnel for the provision of legal assistance services.

456 (5) Coordinate, draft, publish, and execute preventive
457 legal assistance initiatives and services that meet the needs
458 of the Alabama National Guard and its respective commands.

459 (6) Establish, where appropriate, any consistent
460 limitations to accomplish the mission of the Legal Services
461 Office.

462 (7) Maintain up-to-date legal trackers of clients and
463 services for the Legal Services Office.

464 §31-2C-6.

465 Unless inconsistent with superior orders or other
466 duties or responsibilities, all of the following are
467 authorized to provide legal assistance:

468 (1) Judge advocates and personnel supporting the Legal
469 Services Office under the authority of the Adjutant General
470 and state staff judge advocates.

471 (2) Judge advocates and personnel supporting the Army
472 and Air National Guard under Army Regulation 27-3, Air Force
473 Instruction 51-304, and Air National Guard Instruction 51-504.

474 (3) State and Department of Defense civilian attorneys
475 and judge advocates as approved by the state staff judge
476 advocates.



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477 (4) Staff judge advocates and Office of General Counsel
478 interns or externs under the supervision of the state staff
479 judge advocate or Office of General Counsel.

480 §31-2C-7.

481 (a) The Legal Services Office along with designated
482 supervisory judge advocates shall ensure that all attorneys
483 and non-lawyer assistants providing legal services develop and
484 maintain the requisite level of competency required by the
485 Alabama State Bar, state rules, and federal regulations that
486 apply to judge advocates.

487 (b) The legal assistance associate general counsel
488 shall ensure all of the following:

489 (1) All judge advocates and attorneys under his or her
490 supervision receive continuing legal education in the areas of
491 law, policy, and professional responsibility relevant to legal
492 assistance. Training should take advantage of courses
493 sponsored by state and federal government agencies; national,
494 state, and local bar associations; and the Judge Advocate
495 Center and School.

496 (2) The Legal Services Office periodically conducts
497 training covering the laws affecting legal assistance cases in
498 coordination with local bar associations, legal aid offices,
499 local practitioners, and relevant state and local government
500 agencies.

501 (3) Paralegal specialists, office intake personnel, and
502 receptionists receive training and instructions on
503 safeguarding the privacy and confidentiality of client
504 information, conflicts of interest, reporting procedures for



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505 violations of the standards, and other professional
506 responsibility topics related to legal assistance.
507 Participation in local legal assistance training shall be
508 encouraged. Supervisory lawyers should encourage and support
509 participation in the Army's Paralegal Degree Program for all
510 paralegal soldiers.

511 (4) Other attorneys who may be called to perform legal
512 assistance duties receive appropriate training in legal
513 assistance.

514 §31-2C-8.

515 Eligible clients of the Legal Assistance Program,
516 subject to the limitations described herein, include all of
517 the following:

518 (1) Alabama Army and Air National Guard members,
519 employees, retirees, and their dependents. Retired members of
520 the Alabama National Guard are those retirees who are entitled
521 to or are receiving military retirement pay, including
522 individuals on the temporary disability retired list.

523 (2) The legal assistance associate general counsel,
524 with the advice and consent of the state staff judge
525 advocates, may limit legal assistance in times of emergencies
526 or to certain categories of cases based on availability of
527 expertise or resources.

528 (3) Dependents of eligible individuals identified
529 herein. For purposes of this subdivision, the term "dependent"
530 has the same meaning as defined in 10 U.S.C. § 1072.

531 (4) Surviving dependents of eligible individuals as
532 identified herein who would be eligible for legal assistance,



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533 if the service member or retired member were alive.

534 §31-2C-9.

535 The Adjutant General or a state staff judge advocate
536 may limit or expand the Legal Assistance Program depending on
537 the space, facilities, or personnel available and the nature
538 and scope of services needed.

539 §31-2C-10.

540 Preventive law services are an integral part of the
541 Legal Assistance Program as defined in Army Regulation 27-1
542 and Air Force Instruction 51-304, the purpose of which is to
543 assist and educate Alabama National Guard members, employees,
544 retirees, and dependents about their legal rights, privileges,
545 and responsibilities. The Alabama National Guard Legal
546 Assistance Program shall strive to work with state agencies,
547 local and state bar associations, and community leaders on the
548 most pressing legal issues to best address any issues and to
549 disseminate legal information to assist eligible persons in
550 making sound legal decisions.

551 §31-2C-11.

552 (a) The Legal Assistance Program shall include a
553 Preventative Law Program that does all of the following:

554 (1) Publishes one or more preventative law publications
555 per quarter and distributes the publications via any medium
556 easily accessible to eligible clients.

557 (2) Participates in command newcomer orientation
558 briefings, professional development programs, general military
559 training, other unit education programs, and family readiness
560 group presentations. Attorneys and paralegals are encouraged



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561 to sponsor and participate in lectures, seminars, forums, and
562 meetings that inform soldiers, family members, and retirees
563 about legal problems and issues.

564 (3) Maintains a legal assistance website or social
565 media presence that contains information on the office hours,
566 location, and services available. Legal assistance offices are
567 encouraged to disseminate preventative law materials on these
568 sites. All published material must be reviewed and updated at
569 least quarterly to ensure accuracy.

570 (4) Makes preventive law handouts available in waiting
571 rooms and other appropriate locations.

572 (b) In addition to taking the above measures to educate
573 soldiers and their family members, the Preventative Law
574 Program shall employ the following measures to prevent future
575 legal issues:

576 (1) Identify landlords and other businesses that take
577 unfair advantage of soldiers and family members and coordinate
578 with local installation housing referral offices, local Armed
579 Forces Disciplinary Control Boards, and local, state, and
580 federal consumer protection agencies to develop procedures to
581 enforce fair business practices.

582 (2) Assess whether changes in law or regulation could
583 prevent common legal problems and make regulatory or
584 legislative suggestions to initiate those changes.
585 Recommendations for changes to federal law, regulations, or
586 other policy should be forwarded to the Alabama National Guard
587 Legal Services Office.

588 §31-2C-12.



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589 (a) The scope of Alabama National Guard legal services
590 is limited to the types of cases, matters, and services as
591 defined and outlined in Army Regulation 27-3, Air Force
592 Instruction 51-304, and Army National Guard Instruction
593 51-504.

594 (b) The Alabama National Guard Legal Services Office
595 may limit or expand any services depending on expertise,
596 resources, and personnel.

597 (c) Legal assistance services are provided at no cost
598 to a client; however, the Alabama National Guard Legal
599 Services Office is not responsible for any costs associated
600 with a client's legal matter, including, but not limited to,
601 court fees, charges, filing fees, discovery fees, application
602 fees, appeal bonds, fines, civilian or private attorney fees,
603 or any other costs.

604 §31-2C-13.

605 (a) All judge advocates providing legal assistance must
606 obtain and hold an occupational license from the Alabama State
607 Bar, or, with exception and approval of a state staff judge
608 advocate, from another state bar under which the judge
609 advocate is licensed. Further, judge advocates should
610 establish and maintain a liaison with national, state, and
611 local bar organizations. Membership in professional
612 organizations, especially local branches involved in providing
613 legal services pertinent to the military community and
614 attendance at professional meetings and seminars is
615 encouraged.

616 (b) Upon receipt of necessary approval by a state staff



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617 judge advocate, judge advocates and personnel may obtain
618 reimbursement of license fees and any necessary fees
619 associated with continuing legal education or membership in
620 local or state bar associations.

621 (c) Legal assistance attorneys are encouraged to
622 provide presentations to their civilian counterparts on
623 military legal assistance issues.

624 (d) The Legal Services Office shall work to incorporate
625 the purposes of the Military Law Committee with coordination
626 between the Alabama State Bar and local bar associations
627 regarding military legal services, referral services, and
628 legal issues within this state.

629 §31-2C-14.

630 Nothing in this chapter shall affect the standards of
631 professional conduct required by the United States Army,
632 United States Air Force, National Guard Bureau, or the Alabama
633 State Bar, nor shall it expand any services of the Legal
634 Services Office or personnel, outside of the scope and
635 liability protections of the applicable service regulations.
636 All functions under this chapter and Chapter 2B and all other
637 activities relating to the Legal Services Office are
638 governmental functions for defense and security of Alabama
639 State Military Forces.

640 §31-2C-15.

641 (a) Judge advocates and paralegals while performing
642 duties under Title 10 or Title 32, U.S.C., may perform
643 notarial acts, pursuant to 10 U.S.C. § 1044a, or if qualified
644 as a notary public under state law.



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645 (b) Pursuant to 10 U.S.C. § 1044a, judge advocates,
646 even when not in a duty status, have the general powers of a
647 notary public in the performance of all notarial acts.

648 (c) Pursuant to 10 U.S.C. § 1044a(b)(4), Alabama
649 National Guard paralegals have the general powers of a notary
650 public in the performance of all notarial acts, even when in a
651 non-duty status.

652 (d) Judge advocates and paralegals may use a seal or
653 stamp citing the authority under 10 U.S.C. § 1044a when
654 performing notarial acts.

655 (e) The cost of a state notary public commission, if
656 required by a state staff judge advocate, may be reimbursed
657 upon his or her approval.

658 (f) Civilian employee notaries may perform these
659 services within the limits of the commission under the rules
660 for the jurisdiction. No fees may be charged for these notary
661 services.

662 (g) All actions of military notaries qualified under 10
663 U.S.C. § 1044a are valid and enforceable in this state.

664 Section 3. This act shall become effective on October
665 1, 2025.