

## HB362 INTRODUCED



1 HB362

2 JPE85NY-1

3 By Representatives Faulkner, Moore (P), Colvin, Rehm, Smith,  
4 Brown, Oliver, Starnes, Crawford, Paschal, Robertson

5 RFD: Military and Veterans' Affairs

6 First Read: 29-Jan-26



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4     SYNOPSIS:

5             Existing law provides the duties of various  
6     positions within the Legal Services Office of the  
7     Alabama National Guard.

8             This bill would revise and further provide for  
9     the duties of certain positions, including the State  
10    Staff Judge Advocates, General Counsel, Deputy General  
11    Counsel, Military Justice Associate General Counsel,  
12    Contract and Fiscal Law Associate General Counsel,  
13    Administrative and Civil Law Associate General Counsel,  
14    Operational Law Associate General Counsel, Legal  
15    Assistance Associate General Counsel, and certain other  
16    Judge Advocates.

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18  
19                     A BILL

20                     TO BE ENTITLED

21                     AN ACT

22  
23             Relating to the Alabama National Guard, to amend  
24     Sections 31-2B-4, 31-2B-5, 31-2B-6, 31-2B-7, 31-2B-8, 31-2B-9,  
25     31-2B-10, 31-2B-11, 31-2B-12, and 31-2B-13, as added by Act  
26     2025-104, 2025 Regular Session, Code of Alabama 1975, to  
27     revise and further provide for the duties of certain positions  
28     within the Legal Services Office.



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29 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

30           Section 1. Sections 31-2B-4, 31-2B-5, 31-2B-6, 31-2B-7,  
31 31-2B-8, 31-2B-9, 31-2B-10, 31-2B-11, 31-2B-12, and 31-2B-13,  
32 as added by Act 2025-104, 2025 Regular Session, Code of  
33 Alabama 1975, are amended to read as follows:

34           "§31-2B-4

35           (a) The Legal Services Office shall be a joint office  
36 shared by the Alabama Army and Air National Guard. There shall  
37 be a State Staff Judge Advocate for both the Army National  
38 Guard and the Air National Guard.

39           (b) Each State Staff Judge Advocate shall do all of the  
40 following:

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

43           (2) Serve as the primary legal adviser to ~~the Adjutant~~  
44 ~~General regarding the State Military Department and all~~  
45 ~~officers and agencies of the department his or her respective~~  
46 military service component commander.

47           (3) Provide independent legal advice ~~in coordination~~  
48 ~~with the Office of General Counsel and directly, when~~  
49 ~~requested, to the Director of the Joint Staff, his or her~~  
50 ~~respective~~ chief of staff ~~of each~~ for his or her service,  
51 ~~joint staff, and to~~ members of the his or her respective  
52 military service component within the Alabama National Guard,  
53 generally.

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

55           a. Military justice.

56           b. Administration and operation of ~~the State Military~~



57        Department his or her respective military service component's  
58        Judge Advocate General's Corps within the Alabama Army or the  
59        Air National Guard.

60            c. Business, property, and financial operations under  
61        the jurisdiction and authority of the State Military  
62        Department and the Armory Commission for his or her respective  
63        military service component.

64            d. Administration, control, discipline, status, civil  
65        relations, and activities of all ~~State Military Department~~  
66        personnel within his or her respective military service  
67        component.

68                (5) Provide legal advice to ~~the~~ his or her respective  
69        military component commander and, when requested, to the  
70        Adjutant General, Director of the Joint Staff, chief of staff  
71        of each service, and joint staff in~~all~~ legal matters  
72        concerning~~the State Military Department, including~~  
73        ~~environmental law, labor and civilian personnel law, contract~~  
74        ~~law, and fiscal and tax law~~ his or her respective military  
75        component.

76                (6) Develop legal office management policies and  
77        procedures for his or her respective military service  
78        component to accomplish~~all~~ legal services within the Alabama  
79        National Guard.

80                (7) Direct~~the~~ his or her respective military service  
81        component members of the Alabama National Guard Judge Advocate  
82        General Corps in the performance of their duties, including  
83        leading and managing all aspects of the ~~Legal Service Office~~  
84        service component's legal services.



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(8) Exercise technical supervision over the delivery of legal services in his or her respective military service component of the Alabama Army ~~and or~~ Air National Guard and all legal services personnel under the authority of ~~the Adjutant General~~ his or her component commander.

(9) Certify that all judge advocates within his or her respective military service component are professionally qualified and maintain the highest levels of ethical and moral behavior and professional proficiency to perform legal duties.

(10) Manage the professional legal training within ~~the~~ Alabama National Guard his or her respective military service component.

(11) Determine the requirements for ~~the~~ his or her respective military service component, and the Alabama National Guard's acquisition of legal research materials, software, applications, and programs.

(12) Provide legal services to ~~the Alabama National Guard~~ his or her respective military service component through the Legal Services Office ~~and the~~ in coordination with the Office of General Counsel.

(13) Direct the delivery of Alabama Army and Air National Guard legal services across a broad spectrum of legal disciplines, including military justice, international and operational law, administrative and civil law, contract and fiscal law, claims, and legal assistance.

"§31-2B-5

(a) Under the direction of the Adjutant General and in coordination with the State Staff Judge Advocates, the General

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113 Counsel shall do all of the following:

114 (1) Advise and support the State Staff Judge Advocates  
115 on all judge advocate legal service matters.

116 (2) Advise the Adjutant General, State Military  
117 Department, Governor, chief of staff of each service, and  
118 Director of the Joint Staff, as necessary.

119 (3) Serve as Chief Information Officer for the ~~Judge~~  
120 Advocate Office of General Counsel.

121 (4) Inspect, supervise, and manage judge advocate  
122 activities as directed by the State Staff Judge Advocates  
123 consistently with the Adjutant General's policies and  
124 directives.

125 (5) Supervise all Alabama National Guard and State  
126 Military Department litigation ~~and appeals.~~

127 (6) Supervise and provide advice on all contract and  
128 fiscal issues.

129 (7) Supervise and provide technical guidance regarding  
130 military justice and administrative law.

131 (8) Supervise the Office of General Counsel, including  
132 employment, professional responsibility, and office management  
133 matters.

134 (9) Establish policy and operational guidance for all  
135 aspects of the Alabama National Guard and State Military  
136 Department Legal Services Office.

137 (10) Supervise the Deputy General Counsel, associate  
138 general counsels, deputy staff judge advocates, judge  
139 advocates, all legal services personnel, and others who are  
140 members of the Judge Advocate Legal Services Office to assist



141 the Office of General Counsel in supporting the Adjutant  
142 General, State Military Department, and State Staff Judge  
143 Advocates, when not in conflict.

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

147 "§31-2B-6

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

150 (1) Serve as director for the Legal Services Office,  
151 including military justice, legal assistance, administrative  
152 law, contract and fiscal law, and any other services as  
153 determined and delegated by a State Staff Judge Advocate or  
154 the Office of General Counsel.

155 (2) Coordinate and provide support for all legal  
156 services throughout the Alabama National Guard and the State  
157 Military Department under the direction of the State Staff  
158 Judge Advocates and the Office of General Counsel.

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

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

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

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

167 (7) Compile and publish the Alabama National Guard  
168 Legal Services Manual upon approval by the State Staff Judge



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169 Advocates and the Office of General Counsel.

170 "§31-2B-7

171 The Military Justice Associate General Counsel shall do  
172 all of the following:

173 (1) Serve as coordinator of all military justice  
174 matters under the direction of the State Staff Judge Advocates  
175 and as delegated to the Office of General Counsel.

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

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

180 (4) Compile and publish the Alabama Manual for  
181 Courts-Martial and any supporting state regulations and  
182 manuals with advice and consent of the State Staff Judge  
183 Advocates L~~and~~ the Chief of Military Justice, and the Office  
184 of General Counsel.

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 and State  
195 Military Department.

196 (4) Compile and publish the Alabama Manual for Contract

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197 and Fiscal Law and any supporting rules and manuals with  
198 advice and consent of the Adjutant General, State Staff Judge  
199 Advocates, and the Office of General Counsel.

200 "§31-2B-9

201 The Administrative and Civil Law Associate General  
202 Counsel shall do all of the following:

203 (1) Serve as coordinator for the Office of General  
204 Counsel of all administrative and civil law matters under the  
205 direction of the Adjutant General and State Military  
206 Department and in coordination with the State Staff Judge  
207 Advocates ~~and as delegated to the Office of General Counsel as~~  
208 necessary.

209 (2) Coordinate and provide support to the military  
210 judge advocates assigned to administrative and civil law  
211 sections.

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

214 (4) Compile and publish the Alabama Manual for  
215 Administrative and Civil Law and any supporting rules and  
216 manuals with advice and consent of the Adjutant General, State  
217 Staff Judge Advocates, and the Office of General Counsel.

218 "§31-2B-10

219 The Operational Law Associate General Counsel shall do  
220 all of the following:

221 (1) Serve as coordinator for the Office of General  
222 Counsel of all operational law matters ~~under the direction of~~  
223 in coordination with the State Staff Judge Advocates ~~and as~~  
224 ~~delegated to the Office of General Counsel as necessary~~.



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

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

229 (4) Compile and publish the Alabama Manual for  
230 Operational Law and any supporting rules and manuals with  
231 advice and consent of the Adjutant General, State Staff Judge  
232 Advocates, and the Office of General Counsel."

233 "§31-2B-11

234                   The Legal Assistance Associate General Counsel shall do  
235                   all of the following:

236 (1) Serve as coordinator for the Office of General  
237 Counsel of all legal assistance matters ~~under the direction of~~  
238 in coordination with the State Staff Judge Advocates ~~and~~ as  
239 ~~delegated to the Office of General Counsel~~ necessary.

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

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

244 (4) Compile and publish the Alabama Manual for Legal  
245 Assistance and any supporting rules and manuals with the  
246 advice and consent of the Adjutant General, State Staff Judge  
247 Advocates, and the Office of General Counsel.

248 "§31-2B-12

249 (a) Command, Wing, and Brigade Judge Advocates shall  
250 provide legal services to Major Military Commands, including  
251 MACOM, MAJCOM, and Wing in this state through legal offices  
252 and legal sections headed by judge advocates within each



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253 MACOM, MAJCOM, and Wing. Judge advocates shall be members of  
254 MACOM, MAJCOM, and Wing Commanders' Staff and are designated  
255 as supervisory judge advocates.

256 (b) A Supervisory Judge Advocate shall be a judge  
257 advocate within an office or organization with authority over,  
258 or responsibility for, the direction, coordination,  
259 evaluation, or assignment of responsibilities and work of  
260 subordinate lawyers, paralegals, and other non-lawyer  
261 assistants within MACOM, MAJCOM, or Wing.

262 (c) The supervisory judge advocates shall include the  
263 Command Judge Advocate, Staff Judge Advocate, and the Brigade  
264 Judge Advocate as determined by the placement.

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

267 (1) Advise the commander regarding legal matters and  
268 assist the commander in exercising his or her duties as a part  
269 of the commander's personal staff, all under the management  
270 and supervision of the respective State Staff Judge Advocate.

271 (2) Assist the commander in identifying legal problems  
272 and render legal advice in support of the commander's  
273 decision-making process.

274 (3) Furnish legal advice, assistance, and support  
275 across the broad spectrum of military, state, and federal  
276 practice, including administrative law, claims, contract, and  
277 fiscal law, international and operational law, and military  
278 justice; provided, all legal assistance is reserved to the  
279 Legal Services Office unless otherwise determined by a State  
280 Staff Judge Advocate.



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281 (4) Be responsible for the efficient, effective, and  
282 ethical delivery of legal services to his or her commanders  
283 and commands.

284 (5) Create and maintain rating and supervisory chains  
285 that comply with applicable Army standards and ensure  
286 effective leadership of all legal personnel of the command  
287 legal office.

288 (6) Ensure legal personnel are adequately trained to  
289 accomplish the legal mission, including through local training  
290 and through attendance at the Judge Advocate Center and School  
291 courses, including that all judge advocate attorneys  
292 accomplish continuing legal education required by the Alabama  
293 State Bar.

294 (7) Appoint and assign duties of the chief paralegal,  
295 trial counsel, and Deputy Command Judge Advocate, Deputy Staff  
296 Judge Advocate, or Deputy Brigade Judge Advocate, as  
297 appropriate, with consent of the State Staff Judge Advocate.

298 (8) Maintain written standard office procedures and  
299 annex to MACOM Operation Order for Command.

300 (9) Maintain proper written reports regarding  
301 investigations, separations, and military justice as directed  
302 by the Office of General Counsel and State Staff Judge  
303 Advocate.

304 (10) Publish an office SOP and OPORD Annex for their  
305 respective commands.

306 "§31-2B-13

307 (a) In accordance with Army Regulation 27-1, all  
308 paralegals and warrant officers are under the direction of a



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309 State Staff Judge Advocate with supervision delegated to each  
310 Command Judge Advocate, Staff Judge Advocate, or Brigade Judge  
311 Advocate, as appropriate, unless employed within the Office of  
312 General Counsel. All paralegals and warrant officers employed  
313 within the Office of General Counsel are under the direction  
314 of the General Counsel.

315 (b) Unless directed otherwise by the State Staff Judge  
316 Advocate, all paralegals and warrant officers shall perform  
317 only legal professional duties as outlined in their respective  
318 legal service regulations.

319 Section 2. This act shall become effective on October  
320 1, 2026.